

**FILED**

**United States Court of Appeals  
Tenth Circuit**

**UNITED STATES COURT OF APPEALS**

**FOR THE TENTH CIRCUIT**

**October 23, 2017**

**Elisabeth A. Shumaker  
Clerk of Court**

SOUTHERN NAZARENE UNIVERSITY;  
OKLAHOMA WESLEYAN  
UNIVERSITY; OKLAHOMA BAPTIST  
UNIVERSITY; MID-AMERICA  
CHRISTIAN UNIVERSITY,

Plaintiffs - Appellees,

v.

THOMAS PRICE, in his official capacity  
as Secretary of the United States  
Department of Health and Human Services;  
EDWARD HUGLER, Acting Secretary of  
the United States Department of Labor;  
STEVEN MNUCHIN, in his official  
capacity as Secretary of the United States  
Department of the Treasury; UNITED  
STATES DEPARTMENT OF HEALTH &  
HUMAN SERVICES; UNITED STATES  
DEPARTMENT OF LABOR; UNITED  
STATES DEPARTMENT OF THE  
TREASURY,

Defendants - Appellants.

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AMERICAN CIVIL LIBERTIES UNION;  
AMERICAN CIVIL LIBERTIES UNION  
OF OKLAHOMA; AMERICANS  
UNITED FOR SEPARATION OF  
CHURCH AND STATE, LIBERTY, LIFE  
AND LAW FOUNDATION; THE  
ASSOCIATION OF GOSPEL RESCUE  
MISSIONS; ASSOCIATION OF  
CHRISTIAN SCHOOLS  
INTERNATIONAL; PRISON

No. 14-6026  
(D.C. No. 5:13-CV-01015-F)  
(W.D. Okla.)

FELLOWSHIP MINISTRIES;  
NATIONAL ASSOCIATION OF  
EVANGELICALS; ETHICS &  
RELIGIOUS LIBERTY COMMISSION  
OF THE SOUTHERN BAPTIST  
CONVENTION; THE LUTHERAN  
CHURCH - MISSOURI SYNOD;  
AMERICAN BIBLE SOCIETY;  
INSTITUTIONAL RELIGIOUS  
FREEDOM ALLIANCE; CHRISTIAN  
LEGAL SOCIETY,

Amici Curiae.

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**ORDER**

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Before **MATHESON, McKAY, and BALDOCK**, Circuit Judges.

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This matter is before us on Appellants' *Motion for Voluntary Dismissal* filed October 6, 2017. The motion states that Appellants had not determined Appellees' position on the relief requested in the motion prior to its filing. The time for Appellees to file a response to the motion has now expired, and no response has been filed. *See* Fed. R. App. P. 27(a)(3) and 10th Cir. R. 27.3(A)(1). Accordingly, Appellants' motion is deemed unopposed.

In light of the foregoing, Appellants' *Motion for Voluntary Dismissal* is GRANTED, and this matter is dismissed pursuant to Fed. R. App. P. 42(b). A copy of

this order shall stand as and for the mandate of this court.

Entered for the Court,

ELISABETH A. SHUMAKER, Clerk

A handwritten signature in black ink, appearing to read 'Chris Wolpert', with a long horizontal stroke extending to the right.

by: Chris Wolpert  
Chief Deputy Clerk